

FORM PTO-1390
(REV 11-98)

ATTORNEY DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

2026-4308US

U.S. APPLICATION NO. (If known, see 37 CFR 1.51)

TBA 10/009002

INTERNATIONAL APPLICATION
PCT/US00/15293

INTERNATIONAL FILING DATE
02 June 2000 (02.06.2000)

PRIORITY DATE CLAIMED
04 June 1999 (04.06.1999)

INFECTIOUS CDNA CLONE OF GB VIRUS B AND USES THEREOF

APPLICANT(S) FOR DO/EO/US

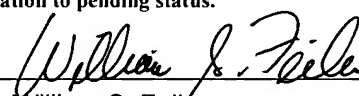
BUKH, Jens; YANAGI, Masayuki; EMERSON, Suzanne U.; and PURCELL, Robert H.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371 (b) and PCT Articles 22 and 39 (1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith.
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International application into English (35 U.S.C. 371(c)(2)). NOTE: No oath attached
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A copy of the annexes to the International Preliminary Examination Report under PCT Article 36 is enclosed (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included.

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or Information:
 - Copy of Written Opinion
 - Preliminary Examination Report
 - International Search Report
 - Notice Informing Applicant of the Communication of the International Application to the Designated Offices
 - Copy of the International Application Published Under the Patent Cooperation Treaty (PCT)
 - Check in the amount of \$1,812.00
 - Copy of Sequence Listing (35 sheets)
 - Copy of PCT Request (6 pages)
 - Return Postcard

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|---|--------------|---|---|--------------------------------------|----|
| U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.51) 107B009002 | | INTERNATIONAL APPLICATION NO. PCT/US00/15293 | | ATTORNEY'S DOCKET NO. 2026-4308US | |
| 17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1040.00 X International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ...\$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO.....\$740.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33 (1) - (4).....\$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1) - (4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | CALCULATIONS PTO USE ONLY | |
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| | | | | | |
| Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE* | | |
| Total claims | 51 - 20 = | 31 | X \$18.00 | \$ 558.00 | |
| Independent claims | 4 - 3 = | 1 | X \$84.00 | \$ 84.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$280.00 | \$ 280.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 1812.00 | |
| Reduction of ½ for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). Applicant asserts it is a SMALL ENTITY. | | | | \$ 0.00 | |
| SUBTOTAL = | | | | \$ 1812.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ 0.00 | |
| TOTAL NATIONAL FEE = | | | | \$ 1812.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ 0.00 | |
| TOTAL FEES ENCLOSED | | | | \$ 1812.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | charged | \$ |
| a. <input checked="" type="checkbox"/> A check in the amounts of \$1,812.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 13-4500 in the amount of to cover the above fees. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-4500, ORDER NO. 2026-4308US. A duplicate copy of this sheet is enclosed. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: Morgan & Finnegan LLP 345 Park Ave. New York, NY 10154-0053 Telephone: 212-758-4800 Telecopier: 212-751-6849 | | |  William S. Feiler Registration Number 26,728 | | |

Docket No. 2026-4308US

IN THE UNITED STATES

[X] RECEIVING OFFICE (RO/US)
[] DESIGNATED OFFICE (DO/US)
[] ELECTED OFFICE (EO/US)

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| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE | EARLIEST PRIORITY DATE CLAIMED |
| PCT/US00/15293 | 02 June 2000 (02.06.00) | 04 June 1999 (04 06 99) |
| TITLE OF INVENTION | | |
| INFECTIOUS CDNA CLONE OF GB VIRUS B AND USES THEREOF | | |
| APPLICANT(S) | | |
| Buhk et al. | | |

Commissioner for Patents
Box PCT
P.O. Box 2327
Arlington, Virginia 22202

Attention: RO/US

**VERIFIED CERTIFICATION OF EXPRESS MAILING DATE
(INTERNATIONAL APPLICATION (37 CFR 1.10(c)))**

I declare that on December 3, 2001 I deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee", bearing Label Number EL 762620961 US, addressed to the "BOX PCT, Commissioner of Patents, POB 2327, Arlington, Virginia 22202 Express mail certification which I executed, the following papers:

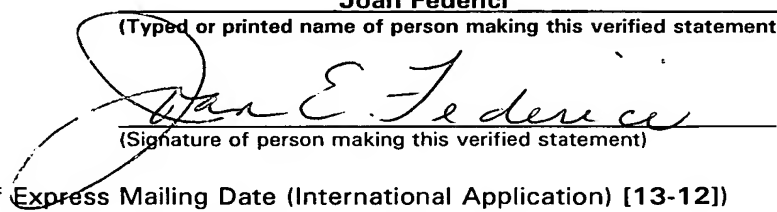
Transmittal Letter to U.S. Designated Office (in duplicate); Copy of Written Opinion; Preliminary Examination Report; Notice Informing Applicant of the Communication of the International Application to the Designated Offices; Information Disclosure Statement with PTO-Form 1449, Sequence listing and 7 references; International Search Report; Copy of PCT Request; Copy of the International Application Published Under the Patent Cooperation Treaty (PCT) No. WO/0075337; Check in the amount of \$1,812.00; and Express Mail Certificate of Mailing bearing label No. EL762620961US

A copy of these papers from the file of this application is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Joan Federici

(Typed or printed name of person making this verified statement)

Date December 3, 2001
(Signature of person making this verified statement)

(Verified Certification of Express Mailing Date (International Application) [13-12])